

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application [CAF] No.49 of 2021
in
First Appeal No.758 of 2015

Executive Engineer, Lower Wardha Project Division, Wardha
vs.
Dnyaneshwar Uttamrao Chore & others

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*Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.*

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Court's or Judge's Orders

Shri C.R. Najbile, Advocate for the Applicant/Respondent No.1.
Shri U.A. Gosavi, Advocate for the Appellant.
Ms. H.N. Jaipurkar, A.G.P. for Respondent Nos.2 & 3.

CORAM : S.M. MODAK, J.
DATE : 24th JUNE, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Learned Advocate Shri Najbile for the applicant/respondent No.1 fairly submitted that now he does not want to press the application for withdrawal of the amount. This application was filed by him when the appeal was dismissed. As now the appeal is restored and he is not pressing the application.

The application is disposed of as not pressed.

First Appeal No.758/2015 :

According to respondent No.1, the issue involved in this appeal is covered as per the judgment given in First Appeal No.313/2015. Learned Advocate Shri Gosavi for the appellant prays time to take instructions from the appellant.

There is also a request to fix First Appeal No.10/2016 for final hearing. The request is made as the parties are same, though that appeal is not connected to the present appeal.

Matter be fixed for final hearing on 10th August, 2021.

Office is also directed to list First Appeal No.10/2016 on that date itself for final disposal. This direction is given under the assumption that the appeal is ready for final hearing.

JUDGE

**sandesh*